

PTO/SB/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number 10/825,558

Filing Date April 14, 2004

First Named Inventor Michael Fleisher

Art Unit 2878

Examiner Name unknown

Total Number of Pages in This Submission

17

Attorney Docket Number SFV 308

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete ApplicationResponse to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

Remarks

After Allowance communication
to Technology Center (TC)Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please
Identify below):Supp. Response to Notice to File Missing
Parts, nine sheets of drawings, copy of Not.
of Inc. Reply & return-receipt postcard.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual nameEdward B. Anderson, Reg. No. 30,154
Kolisch Hartwell, P.C.

Signature

Date

September 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Tamara Daw

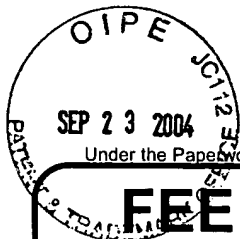
Signature

Date

September 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 55.00

Complete if Known

Application Number	10/825,558
Filing Date	April 14, 2004
First Named Inventor	Michael Fleisher
Examiner Name	unknown
Art Unit	2878
Attorney Docket No.	SFV 308

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

11-1540

Kolisch Hartwell, P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55.00

SUBMITTED BY

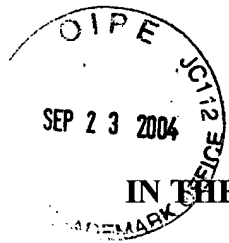
(Complete (if applicable))

Name (Print/Type)	Edward B. Anderson	Registration No. (Attorney/Agent)	30,154	Telephone	(503) 224-6655
Signature		Date	September 20, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Date: September 20, 2004

MICHAEL FLEISHER, MAYA M. RADZINSKI
RICHARD L. ROWE and THOMAS W. GRUDKOWSKI

Serial No. : 10/825,558 Our Docket No.: SFV 308
Filed : April 14, 2004 Group Art Unit: 2878
For : SURVEILLED SUBJECT PRIVACY IMAGING

Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS

This reply supplements the reply received by the U.S. Patent and Trademark Office on 08/16/04 to the Notice to File Missing (Notice) parts mailed 06/28/2004, as well as to the Notice of Incomplete Reply mailed 09/08/2004. This reply is accompanied by a petition for a one-month extension, extending the period for response until 9/28/04.

The Notice states that replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required because certain of the submitted figures are not electronically reproducible. Specifically, Figures 4, 5, 8-15 and 17-25 are considered too dark. The applicants traverse this holding and ask, for the following reasons, that these drawings be accepted as computer-generated images analogous to photographs.

The applicants describe in the specification and drawings certain systems and methods related to imaging using various radio frequencies. The figures indicated are computer generated images of data used in the systems and methods. As such, they include

gray scale and black and white images that convey information to the reader of the nature and context of the processes and data involved. It is submitted that these images portray data that in most cases varies in a non-uniform and not-well defined manner that can only be correctly conveyed in graphic form. A line drawing rendering of the gray scale and complex images would require omitting and distorting much of the data contained in the images as filed. Further, to present the data for each figure as an extensive table of data would obfuscate the information. In the image form, the context and relative significance of the data is readily understood when visually perceived by a human observer.

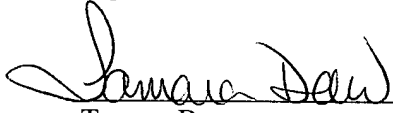
Further, the applicants submit that even as dark as they are, the figures after being scanned and printed provide a better illustration of the concepts disclosed than would be possible when illustrated using conventional drafting techniques. Using commercially available equipment at the disposal of the undersigned attorney of record, the figures as filed were scanned and printed. These printed figures are attached and identified as "Attachment A." Even though there is some reduction in resolution of the images, the applicants submit that these images still adequately illustrate the concepts presented, and do so better than could be provided with conventional drafting techniques. Photocopies of the original figures provide even better duplication of the originals.

Additionally, the images in question are similar to figures of images contained in U.S. patents numbered 5,455,590, 5,557,283, 5,859,609 and 6,703,964. The applicants ask that the figures as filed in this application be accepted for the same reasons that the corresponding figures of these patents were accepted.

If after considering this response the Examiner continues the rejection of the drawings or has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

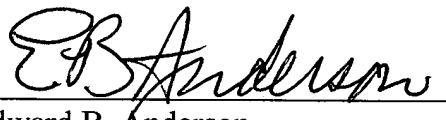
CERTIFICATE OF MAILING

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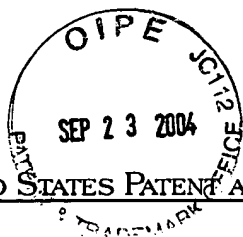
Tamara Daw
Date of Signature: September 20, 2004

Respectfully submitted,
KOLISCH HARTWELL, P.C.



Edward B. Anderson
Registration No. 30,154
Customer No. 23581
of Attorneys for Applicant
520 S.W. Yamhill Street, Suite 200
Portland, Oregon 97204
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IFW #



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,558	04/14/2004	Michael Fleisher	SFV 308

CONFIRMATION NO. 8849

23581
 KOLISCH HARTWELL, P.C.
 520 S.W. YAMHILL STREET
 SUITE 200
 PORTLAND, OR 97204

FORMALITIES LETTER



OC000000013752440

Date Mailed: 09/08/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/16/2004 to the Notice to File Missing Parts (Notice) mailed 06/28/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

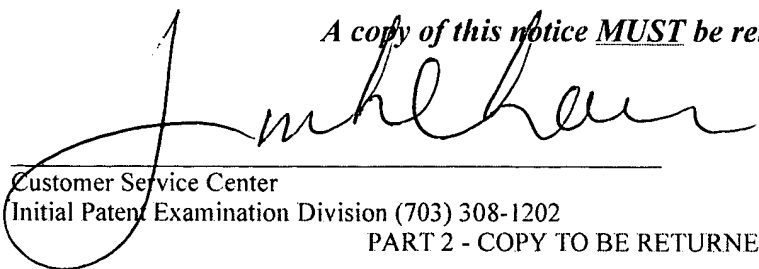
The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s)
 4,5,8,9,10,11,12,13,14,15,17,18,19,20,21,22,23,24,25 ARE TOO DARK.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE